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PTO/SB/21 (09-04) (AW 10/2004)

Approved for use through 7/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/020,427
Filing Date	December 7, 2001
First Named Inventor	M. Oshima et al.
Art Unit	2137
Examiner Name	Paul E. Callahan
Attorney Docket No.	MTS-520US3

ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
 - ☐ After Final
 - ☐ Affidavits/Declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/
Incomplete Application
 - ☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☒ Petition
- ☐ Petition to Convert to a
Provisional Application
- ☐ Power of Attorney, Revocation,
Change of Correspondence
Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
 - ☐ Landscape Table on CD

- ☐ After Allowance Communication
to TC
- ☐ Appeal Communication to Board
of Appeals and Interferences
- ☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply
Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please
identify below): Copies of (5)
Information Disclosure
Statements and PTO Form
1449s previously filed

Remarks:

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm Name	Ratner Prestia		
Signature			
Printed Name	Jack J. Jankovitz		
Date	April 22, 2005	Registration No.	42,690

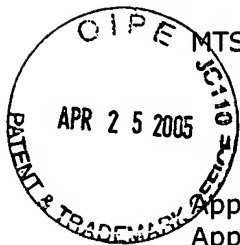
CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or Printed Name	Jack J. Jankovitz	Date	April 22, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



MTS-520US3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 10/020,427
Applicant: Mitsuaki OSHIMA, et al.
Filed: December 7, 2001
Title: MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK
ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK
AND METHOD OF PRODUCING OPTICAL DISK
TC/A.U.: 2137
Examiner: Paul E. Callahan
Confirmation: 9007
Docket No. MTS-520US3

**PETITION UNDER 37 C.F.R. §1.181 FOR
CONSIDERATION OF INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants filed Information Disclosure Statements (IDS) on February 19, 2003, April 3, 2003, October 20, 2004, November 4, 2004 and January 3, 2005. A copy of each IDS, as filed and a copy of the return postcard evidencing receipt of each IDS by the PTO is enclosed. Each IDS, although properly filed, has not been considered.

The Examiner is respectfully requested to consider the references enclosed with each originally filed IDS and to initial and return the Form 1449 to the undersigned.

It is respectfully requested that issuance of the above-identified application be suspended until the IDS has been considered.

Respectfully submitted,



Jack J. Jankovits, Reg. No. 42,690
Attorney for Applicants

JJJ/dlm

Enclosures: (5) IDS and PTO-1449 as previously filed

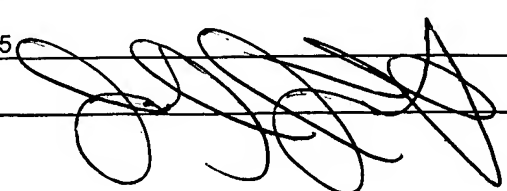
Dated: April 22, 2005

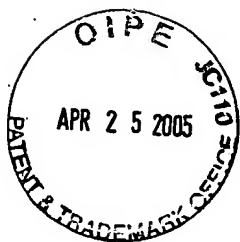
P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

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Date: February 19 2003

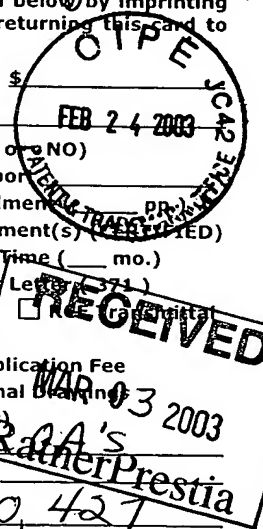
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FILE NO. MAT or MTS-520 US 3 FEE DUE? NO or \$

NAME: M. Oshino et al.

- | | |
|--|--|
| <input checked="" type="checkbox"/> IDS and PTO Form 1449 (<u>3</u> pp.) (Supplemental: <u>YES</u> or NO) | <input type="checkbox"/> Copy of Search Report |
| <input checked="" type="checkbox"/> Copy of <u>8</u> reference(s) | <input type="checkbox"/> Preliminary Amendment |
| <input type="checkbox"/> Verification of a Translation | <input type="checkbox"/> Priority Document(s) (YES/NO) |
| <input type="checkbox"/> Claim To Right of Priority | <input type="checkbox"/> Petition for Ext. of Time (<u> </u> mo.) |
| <input type="checkbox"/> Amendment (<u> </u> pp.) | <input type="checkbox"/> Copy of Formalities Letter (71) |
| <input type="checkbox"/> Response to Missing Parts | <input type="checkbox"/> Form 1390 <input type="checkbox"/> Certificate of Express Mailing |
| <input type="checkbox"/> Declaration/POA (<u> </u> pp.) | <input type="checkbox"/> Fee Transmittal |
| <input type="checkbox"/> Assignment & Form 1595 (<u>3</u> pp.) | <input type="checkbox"/> Issue Fee and Publication Fee |
| <input type="checkbox"/> Sheets of Drawings (Formal) | <input type="checkbox"/> Submission of Formal Drawings |
| <input type="checkbox"/> Certificate of Correction and 1050 | <input type="checkbox"/> Check(s) |
| <input checked="" type="checkbox"/> <u>Copies of 2 Japanese Patent Office RA's</u> | |

USSN: 10/020,427



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: M. Oshima et al. : Art Unit: 2134
Serial No.: 10/020,427 : Examiner: P. E. Callahan
Filed: December 7, 2001 :
For: MARK FORMING APPARATUS, :
METHOD OF FORMING LASER MARK :
ON OPTICAL DISK, REPRODUCING :
APPARATUS, OPTICAL DISK AND :
METHOD OF PRODUCING OPTICAL :
DISK :



SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R :

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following Japanese references are not in the English language:

- 1) 58-211343
- 2) 61-248250
- 3) 03-078178
- 4) 03-116441
- 5) 02-056750

COPY

COPY

References 1) to 5) include English language abstracts and were cited by a foreign patent office in a counterpart foreign application. A copy of the Japanese Office Actions with partial English language translations, indicating the degree of relevance determined by the foreign patent office is submitted herewith. MPEP 609 IIIA(3), second paragraph.

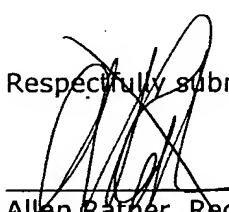
References 4) and 5) have counterpart applications attached.

More than three months have elapsed since the filing of the above-referenced application and/or a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, as more specifically indicated below, a statement as required by 37 C.F.R. § 1.97(c) is provided herewith.

STATEMENT

The undersigned hereby states that each item of information disclosed in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



Allan Ratner, Reg. No. 19,717
Attorney for Applicants

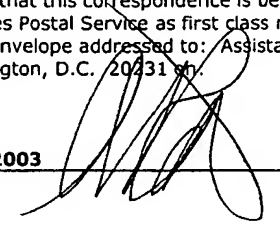
Enclosures: PTO Form 1449
Copy of (#8) References
Copy of Japanese Office Actions JP 2002-235948 and JP 2002-235949

Dated: February 19, 2003

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

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February 19, 2003

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SERIAL NO

10/020,427

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

M. Oshima et al.

GROUP

2134

(Use several sheets if necessary)

APR 25 2005

[illegible]

Exmr Initial		Document Number	Date	Country	Class	Sub Class	Translation YES NO
		58-211343	12/08/83	Japan (with English abstract)			x
		61-248250	11/05/86	Japan (with English abstract)			x
		03-078178	04/03/91	Japan (with English abstract)			x
		03-116441	05/17/91	Japan (with English abstract and counterpart USP 5,126,741)			x
		02-056750	02/26/90	Japan (with English abstract and counterpart EP 0 329 122 and 4,961,077)			x
		EP 0329122	08/23/89	Europe/Germany (with counterpart JP 02-056750)			x

(Including Author, Title, Date, Pertinent Pages, Etc.)

		1.	Japanese Official Action dated November 19, 2002, for JP 2002-235948 with partial English translation.
		2.	Japanese Official Action dated November 19, 2002, for JP 2002-235949 with partial English translation.

Examiner	Date Considered
----------	-----------------

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Date: APRIL 3, 2003

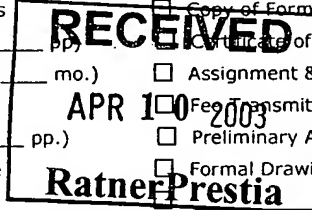
Assistant Commissioner for Patents:

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FILE NO.: MAT MTS 520053 FEE DUE? YES or NO NO AMT. ENC'D. \$ _____

NAME: M. Oshima ET AL.

- | | |
|--|---|
| <input type="checkbox"/> Specification (_____ pp.) | <input type="checkbox"/> Drawing(s) (_____ pp.) |
| <input checked="" type="checkbox"/> IDS & PTO 1449 (<u>3</u> pp.) | <input checked="" type="checkbox"/> Copy of <u>1</u> Reference(s) |
| <input checked="" type="checkbox"/> Copy of Search Report <u>KOREAN O.A.</u> | <input type="checkbox"/> Form 1390 |
| <input type="checkbox"/> Claim to Right of Priority | <input type="checkbox"/> Priority Document(s) |
| <input type="checkbox"/> Response to Missing Parts | <input type="checkbox"/> Copy of Formalities Letter |
| <input type="checkbox"/> Declaration & POA (_____ pp.) | <input type="checkbox"/> Certificate of Express Mailing |
| <input type="checkbox"/> Petition for Ext. of Time (_____ mo.) | <input type="checkbox"/> Assignment & Form 1595 (_____ pp.) |
| <input type="checkbox"/> Utility Transmittal | <input type="checkbox"/> Fee Transmittal |
| <input type="checkbox"/> Amendment/Response (_____ pp.) | <input type="checkbox"/> Preliminary Amendment (_____ pp.) |
| <input type="checkbox"/> Issue Fee/Publication Fee | <input type="checkbox"/> Formal Drawing(s) (_____ pp.) |
| <input type="checkbox"/> Transmittal | |
| <input type="checkbox"/> _____ | Serial No.: <u>10/020,427</u> |



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mitsuaki Oshima et al. : Art Unit: 2134
Serial No.: 10/020,427 : Examiner: Paul E. Callahan
Filed: December 7, 2001 :
For: MARK FORMING APPARATUS, METHOD OF :
FORMING LASER MARK ON OPTICAL :
DISK, REPRODUCING APPARATUS, :
OPTICAL DISK AND METHOD OF :
PRODUCING OPTICAL DISK :

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the Form PTO-1449 (RP) submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following Japanese reference is not in the English language:

1) JP 5-234321

Reference 1) includes an English language abstract.

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Reference 1) was cited in an official action by the Korean Patent Office in a patent application corresponding to the above-identified patent application. A copy of this official action, is transmitted herewith.

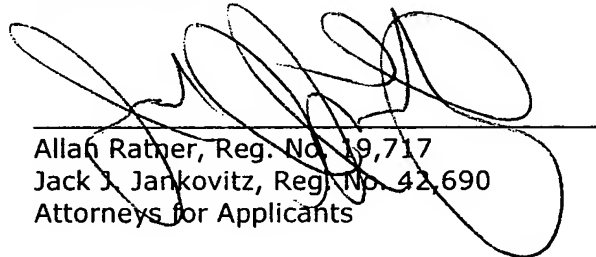
In the Korean Official Action, the second reference was submitted to the USPTO in a previous IDS filed December 7, 2001. The third reference, a Korean publication corresponds to JP 02-56750, filed February 19, 2003 in an IDS.

CERTIFICATION

The undersigned, an attorney registered to practice before the U.S. Patent and Trademark Office, hereby certifies that each reference disclosed in the subject Supplemental Information Disclosure Statement was cited in a communication (i.e., a search report) from a foreign patent office in a counterpart foreign application not more than three months before the filing of the Supplemental Information Disclosure Statement.

Respectfully submitted,

RatnerPrestia



Allan Ratner, Reg. No. 19,717
Jack J. Jankovitz, Reg. No. 42,690
Attorneys for Applicants

JJJ:kc

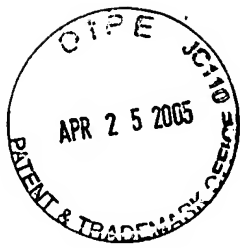
Enclosures: Form PTO-1449
(1) Reference
Korean Office Action

Dated: April 3, 2003

Suite 301
One Westlakes, Berwyn
P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

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Commissioner for Patents:

Date: October 20, 2004

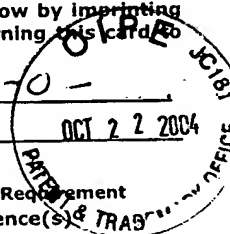
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FILE NO. MAT/MTS-520 US 3 FEE DUE? NO or \$ 0

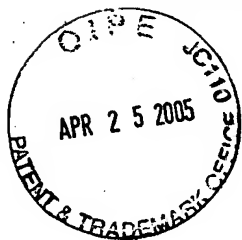
NAME: M. Oshimazaki et al.

- | | |
|---|--|
| <input type="checkbox"/> Amendment (____ pp.) | <input checked="" type="checkbox"/> Transmittal Form |
| <input checked="" type="checkbox"/> Fee Transmittal | <input type="checkbox"/> Response to Restriction Requirement |
| <input checked="" type="checkbox"/> IDS and PTO Form 1449 (<u>5</u> pp.) | <input checked="" type="checkbox"/> Copy of <u>2</u> reference(s) & TRAS |
| <input checked="" type="checkbox"/> Copy of Search Report <u>Europe</u> | <input type="checkbox"/> Status Request |
| <input type="checkbox"/> Verification of a Translation | <input type="checkbox"/> Petition for Ext. of Time (____ mo.) |
| <input type="checkbox"/> Claim To Right of Priority | <input type="checkbox"/> Priority Document(s) (CERTIFIED) |
| <input type="checkbox"/> Form 1390 | <input type="checkbox"/> Copy of Formalities Letter (371) |
| <input type="checkbox"/> Certificate of Express Mailing | <input checked="" type="checkbox"/> RCE Transmittal |
| <input type="checkbox"/> Declaration/POA (____ pp.) | <input checked="" type="checkbox"/> Assignment Form 1595 (____ pp.) |
| <input type="checkbox"/> Issue Fee and Publication Fee | <input type="checkbox"/> Sheets of Drawings |
| <input type="checkbox"/> Submission of Formal Drawings | <input type="checkbox"/> Certificate of Correction and 1050 |
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USPN: 10/020,427



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Ramin Resa

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 10/020,427
Applicant: M. Oshima et al.
Filed: December 7, 2001
Title: MARK FORMING APPARATUS, METHOD OF FORMING LASER
MARK ON OPTICAL DISK, REPRODUCING APPARATUS,
OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK
TC/A.U.: 2134
Confirmation: 9007
Examiner: P. E. Callahan

SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of the references listed on the 1449 form is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

COPY

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following reference is not in the English language:

- 1) JP 01-243237

Reference 1) includes an English language abstract and was cited by a foreign patent examining authority in connection with the examination of a counterpart of the above identified application. A copy of this English language search report, indicating the degree of relevance determined by the foreign patent office is submitted herewith. MPEP 609 IIIA(3), second paragraph.

A copy of Reference US 5,050,150 was cited in an Information Disclosure Statement filed December 7, 2001, and a copy of Reference EP 0549488 was cited in an Information Disclosure Statement filed May 23, 2003.

More than three months have elapsed since the filing of the above-referenced application and/or a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, as more specifically indicated below, a statement as required by 37 C.F.R. § 1.97(c) is provided herewith.

STATEMENT UNDER 37 C.F.R. § 1.97(e)

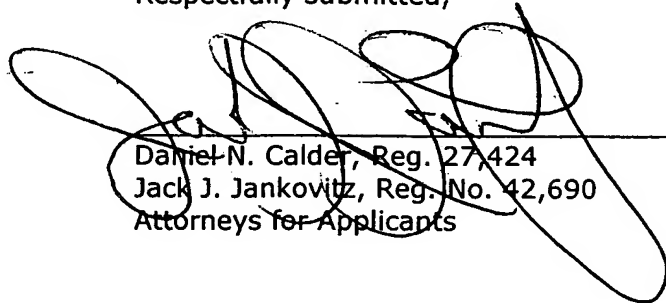
The undersigned hereby states that each item of information contained in the Information Disclosure Statement was first cited in any

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communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



Daniel N. Calder, Reg. 27,424
Jack J. Jankovitz, Reg. No. 42,690
Attorneys for Applicants

JJJ/fp

Enclosures: PTO Form 1449 (2 sheets)
(#2) References
European Search Report
Transmittal Form

Dated: October 20, 2004

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Valley Forge, PA 19482
(610) 407-0700

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October 20, 2004



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Substitute for Form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 2 of 2

Complete if Known

Application Number	10/020,427
Filing Date	December 7, 2001
First Named Inventor	Mitsuaki OSHIMA, et al.
Art Unit	2134
Examiner Name	Paul E. Callahan
Attorney Docket No.	MTS-520US3

NON-PATENT LITERATURE DOCUMENTS

[illegible]

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).

²Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Commissioner for Patents:

Date: November 4, 2004

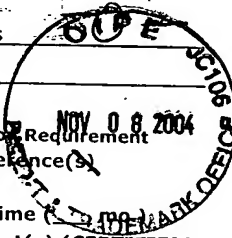
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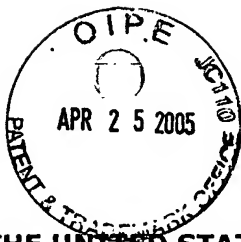
FILE NO. MTS-520 US 3 FEE CHARGED: NO or \$ 60 E

NAME: M. Oshima et al.

- | | |
|---|---|
| <input type="checkbox"/> Amendment (____ pp.) | <input checked="" type="checkbox"/> Transmittal Form |
| <input type="checkbox"/> Fee Transmittal | <input type="checkbox"/> Response to Restriction Requirement |
| <input checked="" type="checkbox"/> IDS and PTO Form 1449 (3 pp.) | <input checked="" type="checkbox"/> Copy of <u>1</u> reference(s) |
| <input type="checkbox"/> Copy of Search Report | <input type="checkbox"/> Status Request |
| <input type="checkbox"/> Verification of a Translation | <input type="checkbox"/> Petition for Ext. of Time (____ pp.) |
| <input type="checkbox"/> Claim To Right of Priority | <input type="checkbox"/> ____ Priority Document(s) (CERTIFIED) |
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| <input type="checkbox"/> Certificate of Express Mailing | <input type="checkbox"/> RCE Transmittal |
| <input type="checkbox"/> Declaration/POA (____ pp.) | <input type="checkbox"/> Assignment & Form 1595 (____ pp.) |
| <input type="checkbox"/> Issue Fee and Publication Fee | <input type="checkbox"/> ____ Sheets of Drawings |
| <input type="checkbox"/> Submission of Formal Drawings | <input type="checkbox"/> Certificate of Correction and 1050 |
| <input type="checkbox"/> Credit Card Payment Form | <input type="checkbox"/> _____ |
| <input checked="" type="checkbox"/> <u>2 JPOA's</u> | <input type="checkbox"/> _____ |

USSN: 10/020,427 ✓



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 10/020,427
Applicant: Mitsuaki OSHIMA, et al.
Filed: December 7, 2001
Title: MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK
ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND
METHOD OF PRODUCING OPTICAL DISK
TC/A.U.: 2134
Examiner: Paul E. Callahan
Confirmation: 9007
Docket No.: MTS-520US3

SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of the references listed on the 1449 form is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following reference is not in the English language:

- 1) "Outline of Barcode Symbol", (see "JAN code standard" at http://www.barcode.ne.jp/about_barcode/code/index.html)

Reference 1) includes an English language translation and was cited by a foreign patent examining authority in connection with the examination of counterparts of the above identified application. Copies of these Japanese Official Actions, with English

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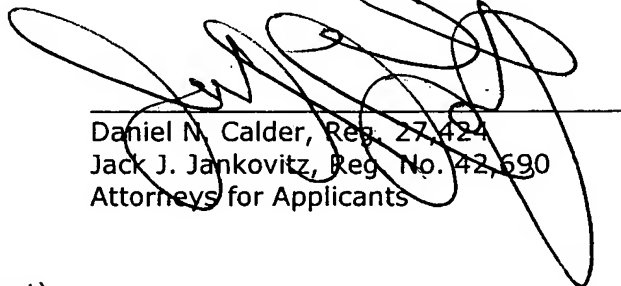
language translations, indicating the degree of relevance determined by the foreign patent office, are submitted herewith. MPEP 609 IIIA(3), second paragraph.

More than three months have elapsed since the filing of the above-referenced application and a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, as more specifically indicated below, a statement as required by 37 C.F.R. § 1.97(c) is provided herewith.

STATEMENT UNDER 37 C.F.R. § 1.97(e)

The undersigned hereby states that each item of information disclosed in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



Daniel M. Calder, Reg. No. 27,424
Jack J. Jankovitz, Reg. No. 42,690
Attorneys for Applicants

JJJ/fp

Enclosures: PTO Form 1449 (1 sheet)
Japanese Official Action for JP 2002-235948
Japanese Official Action for JP 2002-235949
(#1) Reference
Transmittal Form

Dated: November 4, 2004

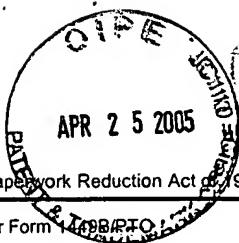
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(610) 407-0700

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 1 of 1

Complete if Known

Application Number	10/020,427
Filing Date	December 7, 2001
First Named Inventor	Mitsuaki OSHIMA, et al.
Art Unit	2134
Examiner Name	Paul E. Callahan
Attorney Docket No.	MTS-520US3

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		Japanese Official Action for JP 2002-235948, date mailed September 28, 2004, with English translation.	<input checked="" type="checkbox"/>
		Japanese Official Action for JP 2002-235949, date mailed September 28, 2004, with English translation.	<input checked="" type="checkbox"/>
		"Outline of Barcode Symbol", (see "JAN code standard" at http://www.barcode.ne.jp/about_barcode/code/index.html , with English translation.	<input checked="" type="checkbox"/>
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			<input type="checkbox"/>
			<input type="checkbox"/>
Examiner Signature			Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).

²Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FILE NO. MTS-52053

FEE DUE? NO or \$

NAME: MIYUAKI OSHIMA, ET AL

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PATENT & TRADEMARK OFFICE
- ☒ IDS and PTO Form 1449 (4 pp.) (SUPPLEMENTAL: YES or NO)
 - ☐ Amendment (pp.) (PRELIMINARY: YES or NO)
 - ☒ Copy of Reference(s)
 - ☐ Copy of Search Report
 - ☐ Verification of a Translation
 - ☐ Petition for Ext. of Time ()
 - ☐ Claim To Right of Priority
 - ☐ Priority Document(s) (CERTIFIED)
 - ☐ Response to Missing Parts
 - ☐ Copy of Formalities Letter
 - ☐ Form 1390
 - ☐ Certificate of Express Mailing
 - ☐ RCE Transmittal
 - ☐ Declaration / POA (pp.)
 - ☐ Fee Transmittal
 - ☒ Transmittal Form
 - ☐ Assignment & Form 1595 (3 pp.)
 - ☐ Issue Fee and Publication Fee
 - ☐ Sheets of Drawings (Formal)
 - ☐ Submission of Formal Drawings
 - ☐ Certificate of Correction and 105
 - ☐ Status Request
 - ☐ Response to Restriction Requirement
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USSN: 10/020,427



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 10/020,427
Applicant: Mitsuaki OSHIMA, et al.
Filed: December 7, 2001
Title: MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK
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TC/A.U.: 2134
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SUPPLEMENTAL
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Mail Stop Amendment

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Sir:

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In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following reference is not in the English language:

- 1) CN 1059222A

Reference 1) was cited by a foreign patent examining authority in connection with the examination of a counterpart of the above identified application. A copy of this Chinese Official Action, with English language translation, indicating the

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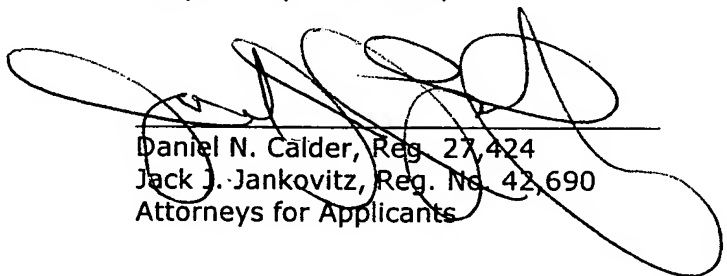
degree of relevance determined by the foreign patent office, are submitted herewith. MPEP 609 IIIA(3), second paragraph.

More than three months have elapsed since the filing of the above-referenced application and a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, as more specifically indicated below, a statement as required by 37 C.F.R. § 1.97(c) is provided herewith.

STATEMENT UNDER 37 C.F.R. § 1.97(e)

The undersigned hereby states that each item of information disclosed in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



Daniel N. Calder, Reg. No. 27,424
Jack J. Jankovitz, Reg. No. 42,690
Attorneys for Applicants

JJJ/ds

Enclosures: PTO Form 1449 (2 sheets)
Chinese Official Action for CN 1059222A
(#2) References
Transmittal Form

Dated: January 3, 2005

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

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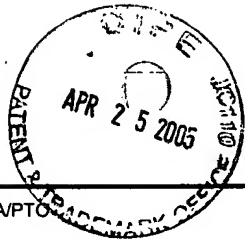
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January 3, 2005



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(AW 08/03)

Substitute for Form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

SHEET 1 of 2

Complete if Known

Application Number	10/020,427
Filing Date	December 7, 2001
First Named Inventor	Mitsuaki Oshima, et al.
Art Unit	2134
Examiner Name	Paul E. Callahan
Attorney Docket No.	MTS-520US3

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-5,309,421 (w/ counterpart CN 1059222A)	05-03-1994	FUJISAWA, Hirotooshi	
		US-			
		US-			
		US-			
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		CN 1059222A (w/counterpart U.S. 5,309,421)	03-04-1992			<input type="checkbox"/>
						<input type="checkbox"/>
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						<input type="checkbox"/>
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						<input type="checkbox"/>

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SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).

²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

⁶Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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